

Remarks/Arguments

Claims 1-48 are in the application, of which claims 30-48 have been withdrawn. Claims 1-29 are pending for consideration. A fee is due for a three-month extension of time and is enclosed. If the Applicants have miscalculated the fee, you are authorized to charge any additional required fee or credit any overpayment to deposit account 13-4365.

The Examiner has objected to the abstract for length. The abstract has been amended herein and the Applicants submit that it is now in compliance with M.P.E.P. 608.01(b).

The Examiner has objected to the application for failing to comply with conditions for receiving the benefit of an earlier filing date. Applicants have amended the specification of the present application to incorporate the appropriate priority claim. Applicants note that the priority claim was included on the transmittal in the filing papers of the application and acknowledged on the filing receipt, thus, this amendment should not constitute a late priority claim.

The Examiner rejected claims 1-5, 8, 9, 11-15, 18-27, and 29 under 35 USC § 102(a) as being anticipated by the article by Chen et al., "Dislocation Reduction in GaN Thin Films via Lateral Overgrowth from Trenches," Applied Physics Letters, 4 October 1999. Applicants wish to point out that Chen, in the second paragraph on page 2062, teaches that "the bottoms of the trenches and the surfaces of the mesas are masked with SiO₂" At least some embodiments in the present Application, by contrast, leave the trench floors exposed.

The Examiner has rejected claims 6-7, 10, 16-17, and 28 under 35 USC § 103(a) as being obvious in view of Chen in combination with U.S. Patent 6,064,078 to Northrup et al. ("Northrup"). Since Chen teaches that the bottoms of the trenches and the surfaces of the mesas are masked, the combination of Chen and Northrup cannot render Applicants' claims obvious. Applicants' claims are patentable in view of Chen and Northrup for at least the same reasons they are patentable in view of Chen.

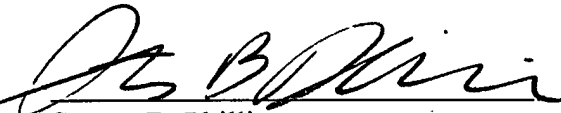
The Examiner has rejected all claims based on the judicially created doctrine of nonstatutory double patenting, in view of each of U.S. Patent 6,686,261, U.S. Patent 6,521,514, and U.S. Patent 6,489,221. These patents and the present application are commonly owned. A terminal disclaimer in compliance with 37 CFR 1.321(c) is enclosed herewith, rendering this rejection moot.

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Applicants believe they have responded to all of the concerns raised by the Examiner.
Reconsideration of this application as amended is hereby requested.

Respectfully submitted,

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